

# **Town Board Minutes**

**Meeting  
No. 23**

***Special Meeting***

**August 30, 1999**

MEETINGS TO DATE 23  
NO. OF REGULARS 16  
NO. OF SPECIALS 7

LANCASTER, NEW YORK  
August 30, 1999

A Special Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 30th day of August, 1999 at 7:00 P.M. and there were

**PRESENT:** NEIL CONNELLY, COUNCIL MEMBER  
WILLIAM MARYNIEWSKI, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
JOHANNA COLEMAN, RECEIVER OF TAXES

**PURPOSE OF MEETING:**

This Special Meeting was called for the purpose of holding a Public Hearing on a proposed Local Law of 1999 entitled "Personnel - Retirement Incentive 1999" and to transact any other business that may come before a regular Town Board Meeting.

**PUBLIC HEARING SCHEDULED FOR 7:00 P.M.:**

At 7:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of 1999 entitled "Personnel - Retirement Incentive - 1999".

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

None

**OPPOSERS**

None

**COMMENTS & QUESTIONS**

Fred Hammer  
Louis Cacciotti  
Daniel Beutler

**ADDRESS**

240 Ransom Road, Lancaster  
13 Lombardy, Lancaster  
26 Tyler Street, Depew

ON MOTION BY COUNCIL MEMBER CONNELLY, AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 7:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PRESENTATION OF ONLY RESOLUTION**

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER CONNELLY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNEWSKI, TO WIT:

**WHEREAS**, Section 10 of the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law entitled "Personnel - Retirement Incentive-1999, was introduced to the Town Board of the Town of Lancaster by Supervisor Giza on the 16th day of August, 1999, and

**WHEREAS**, a Public Hearing was duly called and held pursuant to law on August 30, 1999;

**NOW, THEREFORE, BE IT**

**ENACTED**, by the Town Board of the Town of Lancaster, Local Law No. 5 of the Year 1999, entitled "Personnel - Retirement Incentive-1999" which reads as follows:

**PERSONNEL**

**PERSONNEL - RETIREMENT INCENTIVE-1999**

**LOCAL LAW NO. 5**

**OF THE YEAR 1999**

**A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 70 OF THE LAWS OF 1999 FOR ELIGIBLE EMPLOYEES OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK.**

- §1.0 Election of Plan
- §1.1 Commencement Date of Program
- §1.2 Eligible Positions
- §1.3 Open Period
- §1.4 Additional Retirement Benefits
- §1.5 Effective Date

**Be it enacted by the Town Board of the Town of Lancaster, County of Erie, State of New York, as follows:**

**§1.0. Election of Plan.**

The Town of Lancaster hereby elects to provide its eligible employees with a retirement incentive program authorized by Chapter 70 of the Laws of 1999.

**§1.1. Commencement Date of Program.**

The Commencement date of the retirement incentive program shall be October 1, 1999.

**§1.2. Eligible Positions.**

The Town Board shall determine which positions in town service are eligible as meeting the requirements of Chapter 70 of the Laws of 1999 and shall so designate those positions.

**§1.3. Open Period.**

The open period during which eligible employees may retire and receive additional retirement benefit, shall be sixty (60) days in length.

**§1.4. Additional Retirement Benefits.**

The actuarial present value of additional retirement benefits payable pursuant to the provisions of this Local Law shall be funded over a five-year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Lancaster for each employee who receives the retirement benefits payable under this Local Law.

**§1.5. Effective Date.**

This Local Law shall take effect upon filing with the Secretary of State .

and

and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 5 of the Year 1999 on the Town Bulletin Board;
2. Within ten (10) days publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on Local Law No. 5 of the Year 1999, with all proofs of publication and posting required for adoption; and
4. Immediately file a certified copy of Local Law No. 5 of the Year 1999 with the New York State and Local Retirement Systems, Attention Mr. Robert M. Rhubin, Alfred E. Smith State Office Building, Albany, New York 12244, and
5. File certified copies of Local Law No. 5 of the Year 1999 within ten (10) days of adoption with:
  - a) Town Clerk's Office
  - b) One (1) copy with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 30, 1999

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER STEMPIAK AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 7:45 P.M.

Signed Robert P. Thill  
Robert P. Thill, Town Clerk

File: rlprsnl.899

**LEGAL NOTICE**  
**NOTICE OF ADOPTION**  
**LOCAL LAW NO. 5**  
**OF THE YEAR 1999**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on August 30, 1999, Local Law No. 5 of the Year 1999, entitled: "**Personnel - Retirement Incentive-1999**", briefly described as follows:

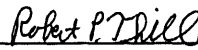
"A Local Law electing retirement incentive program for the year 1999 as authorized by Chapter 70 of the Laws of 1999 for eligible employees of the Town of Lancaster."

August 30, 1999

STATE OF NEW YORK :  
COUNTY OF ERIE :  
: ss:  
TOWN OF LANCASTER :

**THIS IS TO CERTIFY**, that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of Local Law No. 5 of the Year 1999, with the original thereof filed in my office at Lancaster, New York, on the 30th day of August, 1999, and that the same is a true and correct copy of said original and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of said Town, this 30th day of August, 1999.

  
\_\_\_\_\_  
Town Clerk